

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

SALIA ISSA, FISTON RUKENGEZA, and
SALIA ISSA and FISTON RUKENGEZA as
next friends of their unborn child,
Plaintiffs,

V.

TEXAS DEPARTMENT OF CRIMINAL JUSTICE,
LT. BRANDY HOOPER, individually,
LT. DESMOND THOMPSON, individually,
and ASSIST. WARDEN ALONZO HAMMOND,
individually,
Defendants.

THE UNIVERSITY OF CHICAGO

CIVIL ACTION No. 1:22-cv-1107-LY

DEFENDANT TEXAS DEPARTMENT OF CRIMINAL JUSTICE’S
ADVISORY TO THE COURT REGARDING DEFENDANT LT. BRANDY HOOPER

TO THE HONORABLE DISTRICT COURT JUDGE LEE YEAKEL:

The Texas Department of Criminal Justice (“TDCJ”) files this advisory to inform the Court that Defendant Lt. Brandy Hooper is out on Family Medical Leave Act (“FMLA”) leave. TDCJ hopes to establish contact with Lt. Hooper soon and determine whether she intends to seek the representation from the Office of the Attorney General of Texas to which she is likely entitled under state law. Until then, TDCJ notes that many of the arguments presented by the motion to dismiss filed by the other two individual defendants, Lt. Desmond Thompson and Assistant Warden Alonzo Hammond, apply equally to Lt. Hooper. As such, Lt. Hooper has a meritorious defense. *See Lacy v. Sitel Corp.*, 227 F.3d 290, 291–92 (5th Cir. 2000) (identifying a meritorious defense as a factor in setting aside a default judgment). TDCJ hopes the Court will grant Lt. Hooper more time to appear and present that defense.

Date: December 9, 2022

Respectfully Submitted,

KEN PAXTON
Attorney General of Texas

/s/ Benjamin L. Dower
BENJAMIN L. DOWER
Special Litigation Counsel
Texas Bar No. 24082931
Attorney-in-Charge
Benjamin.Dower@oag.texas.gov

BRENT WEBSTER
First Assistant Attorney General

GRANT DORFMAN
Deputy First Assistant Attorney General

Office of the Attorney General
Law Enforcement Defense Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711-2548
(512) 463-2080 / Fax (512) 370-9994

SHAWN COWLES
Deputy Attorney General for Civil Litigation

SHANNA MOLINARE
Chief, Law Enforcement Defense Division

**ATTORNEYS FOR DEFENDANTS TDCJ,
LT. THOMPSON, AND ASSISTANT WARDEN
HAMMOND**

CERTIFICATE OF SERVICE

I, BENJAMIN L. DOWER, certify that a true and correct copy of the foregoing document was
filed and served via the Court's CM/ECF document filing system on December 9, 2022 to:

Ross A. Brennan
Cronauer Law, LLP
7500 Rialto Blvd
Bldg 1, Ste 250
Austin, TX 78735
512-733-5151
Fax: 815-895-4070
Email: ross@cronauerlaw.com
ATTORNEY FOR PLAINTIFFS

/s/ Benjamin L. Dower
BENJAMIN L. DOWER
Special Litigation Counsel
Office of the Attorney General of Texas